

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

JENNIFER PERRY, CATRINA KNIGHT,  
and TALITHA ROBINSON-RUSSELL

Plaintiffs,

v.

TWEEN BRANDS, INC., JUSTICE  
STORES, L.L.C., CARISSA GODWIN  
and AMI LANE,

Defendants.

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CIVIL ACTION NO.

2:07-CV-1067-WKW-SRW

**DEFENDANTS' MOTION FOR PARTIAL DISMISSAL  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

Defendants Tween Brands, Inc., Justice Stores, L.L.C., Carissa Godwin and Ami Lane (collectively referred to herein as "Defendants") move this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for partial dismissal of the portions of Count III (Defamation) that are set forth in paragraphs 41 and 42 of the Complaint filed by Plaintiffs Jennifer Perry, Catrina Knight and Talitha Robinson-Russell (collectively referred to herein as "Plaintiffs"). Defendants further move this Court for dismissal of those portions of the Complaint that allege a "pattern and practice of systemic discrimination as set forth in paragraphs 22 and/or 26 and 33. In the alternative, Defendants move to strike all allegations of a pattern and practice of systemic discrimination as set forth in paragraphs 22 and/or 26 and 33. The facts and authorities in support of said motion are contained in the Defendants' Memorandum in Support of Their Motion for Partial Dismissal Pursuant to Federal Rule of Civil Procedure 12(b)(6), filed contemporaneously herewith.

Respectfully submitted this 3rd day of January 2008.

s/ R. Bradley Adams

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**ATTORNEYS FOR DEFENDANTS**

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2008, I electronically filed the foregoing Motion for Partial Dismissal Pursuant to Federal Rule of Civil Procedure 12(b)(6) with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following attorneys of record for Plaintiffs: **Christopher Stephen Genereux, Esq.** ([csgenereux@tmgsllaw.com](mailto:csgenereux@tmgsllaw.com)), **Jacqueline C. Smoke, Esq.** ([jcsnake@tmgpc.com](mailto:jcsnake@tmgpc.com)), and **Tyrone Carlton Means, Esq.** ([tcmeans@tmgpc.com](mailto:tcmeans@tmgpc.com)), Attorneys for Plaintiff.

s/R. Bradley Adams  
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